

1 BILL NO. Z-81-02- 47

2 ZONING MAP ORDINANCE NO. Z- 12-81

3  
4 AN ORDINANCE amending the City of  
Fort Wayne Zoning Map No. M-34.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
6 FORT WAYNE, INDIANA:

7 SECTION 1. That the area described as follows is  
8 hereby designated a B-1-B District under the terms of Chapter  
9 33, The Code of the City of Fort Wayne, Indiana of 1974; and  
10 the symbols of the City of Fort Wayne Zoning Map No. M-34, re-  
11 ferred to therein, established by Section 33-11 of said Chapter  
12 are hereby changed accordingly, to-wit:

14 Part of the Northeast Quarter of Section  
15 23, Township 31 North, Range 12 East,  
Allen County, Indiana, in particular de-  
16 scribed as follows, to-wit:

17 Commencing on the West right-of-way line of  
18 U.S. Highway No. 27, Project 4 Ind 69-4(3)  
19 109 1959, as situated 100 feet West of the  
centerline of said Highway, said center-  
20 line being also defined as the East line of  
the said Quarter Section, at a point 575  
feet South of the centerline of the Washington  
21 Center Road, said centerline being also de-  
fined as the North line of said Quarter  
22 Section; thence South on the said right-of-  
way line of U.S. Highway No. 27, a distance  
of 175 feet; thence West on a line parallel  
23 to the North line of said Quarter Section,  
a distance of 200 feet; thence North on a  
line parallel to the East line of said Quarter  
24 Section, a distance of 175 feet; thence East  
on a line parallel to the North line of said  
25 Quarter Section a distance of 200 feet to the  
point of beginning; containing 0.803 acres.

26  
27 SECTION 2. That this Ordinance shall be effective upon  
28 passage, approval by the Mayor and legal publication thereof.

29  
30 APPROVED AS TO FORM AND  
31 LEGALITY FEBRUARY 20, 1981.

32 JOHN E. HOFFMAN, CITY ATTORNEY

Mark C. Giunta  
COUNCILMAN

J. Hoffman  
JOHN E. HOFFMAN, CITY ATTORNEY

Read the first time in full and on motion by Gia Quinta,  
seconded by Stier, and duly adopted, read the second time  
by title and referred to the Committee Regulators (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on           , 19      , at            o'clock M., E.S.T.

DATE: 2-24-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quinta,  
seconded by Bosch, and duly adopted, placed on its  
passage. PASSED (TENT) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>					
<u>BURNS</u>	X				
<u>EISBART</u>	X				
<u>GiaQUINTA</u>	X				
<u>NUCKOLS</u>	X				
<u>SCHMIDT, D.</u>	X				
<u>SCHMIDT, V.</u>	X				
<u>SCHOMBURG</u>	X				
<u>STIER</u>	X				
<u>TALARICO</u>	X				

DATE: 4-14-81

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-12-81  
on the 14th day of April, 1981.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 15th day of April, 1981, at the hour of  
2:30 o'clock PM. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 20th day of April  
1981, at the hour of 9 o'clock AM. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

BILL NO. Z-81-02-47

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

[A series of approximately 15 blank horizontal lines for the report.]

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do. PASS.

MARK E. GIAQUINTA, CHAIRMAN

*Mark E. Giacinta*

SAMUEL J. TALARICO, VICE CHAIRMAN

VIVIAN G. SCHMIDT

*Vivian G. Schmidt*  
*J. Stier*  
*D. Schmidt*

JAMES S. STIER

DONALD J. SCHMIDT

*4-14-81*

CONCLUDED IN

DATE CHARLES W. WESTERMAN, CITY C

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 24, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-02-47; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

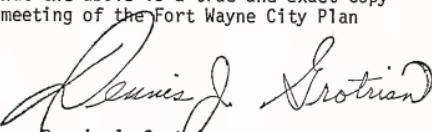
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 16, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 23, 1981.

Certified and signed this  
24th day of March 1981.



Dennis J. Grotjan  
Secretary

**RECEIPT**

Date

Feb 4

1981

No. 15906

Received From Garrison & BoernerAddress Suite 200 - Metra Bldg.

\$50 Dollars Dollars \$50.00  
For Licensing Filing Fee

## ACCOUNT

## HOW PAID

AMT. OF  
ACCOUNT50 00

CASH

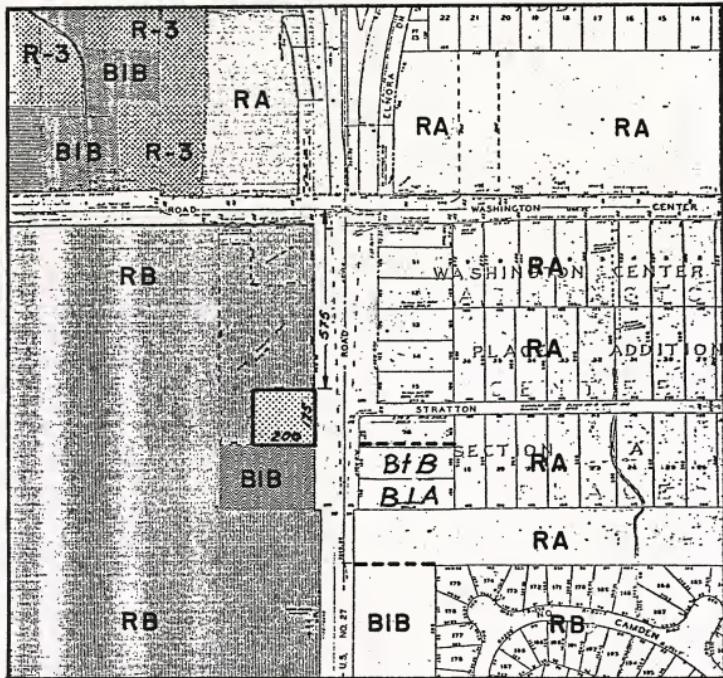
AMT. PAID

50 00

CHECK

# 4640

BALANCE  
DUE      MONEY  
ORDERBy Longfaster



ZONING RECLASSIFICATION FROM AN  
RB TO A BIB DISTRICT.

MAP NO. M-34

Z-81-02-47

BY G.R. LAX 2-II-81

## PETITION FOR ZONING ORDINANCE AMENDMENT

**RECEIVED**

THIS IS TO BE FILED IN DUPLICATE

RECEIPT NO.

DATE FILED

2/4/81

INTENDED USE

FORT WAYNE CITY  
 K/We PAUL E. DOEHRMAN and SHEILA A. DOEHRMAN, husband and wife,  
 (Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from ~~a~~/an \*RB District to a ~~xxx~~ B-1-B District the property described as follows: \*interchange access area Part of the Northeast Quarter of Section 23, Township 31 North, Range 12 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the West right-of-way line of U.S. Highway No. 27, Project 4 Ind 69-4(3) 109 1959, as situated 100 feet West of the centerline of said Highway, said centerline being also defined as the East line of the said Quarter Section, at a point 575 feet South of the centerline of the Washington Center Road, said centerline being also defined as the North line of said Quarter Section; thence South on the said right-of-way line of U.S. Highway No. 27, a distance of 175 feet; thence West on a line parallel to the North line of said Quarter Section, a distance of 200 feet; thence North on a line parallel to the East line of said Quarter Section, a distance of 175 feet; thence East on a line parallel to the North line of said Quarter Section a distance of 200 feet to the point of (Legal Description) If additional space is needed, use reverse side.

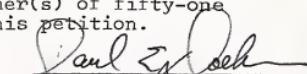
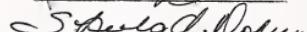
## (General Description for Planning Staff Use Only)

K/We, the undersigned, certify that ~~xxx~~We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Paul E. Doehrman

8524 Encanto Way  
Fort Wayne, IN 46815

Sheila A. Doehrman

8524 Encanto Way  
Fort Wayne, IN 46815
  


(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

Paul E. Doehrman (Name)	8524 Encanto Way Fort Wayne, IN 46815 (Address & Zip Code)	219-485-0144 (Telephone Number)
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COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

beginning; containing 0.803 acres. (Document Number 81-001357)

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Owners of Property

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(Name)

(Address)

(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

24 March 1981

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 23, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-02-47
2. From RB to B-1-B
3. Intended Use: Collector's Galaxy Store
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The request is an expansion of an existing commercially zoned district.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

  
Gary F. Baeten  
Senior Planner

GFB:pb

## DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Long Range Planning &amp; Zoning - CD&amp;P

SYNOPSIS OF ORDINANCE A parcel of land 175' x 200'<sup>±</sup>, located approximately  
575' south of Washington Center Road and lying immediately west of U.S. #27  
(Coldwater Road).

3-81-02-47

EFFECT OF PASSAGE Property is now zoned R-B - Suburban Residential. Property  
will become B-1-B - Limited Business.

EFFECT OF NON-PASSAGE Property will remain R-B - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

R.Wy



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, Clerk -- Room 122

April 22, 1981

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of April 27 and May 4, 1981, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Zoning Map Ordinances

Bill No. Z-81-02-09  
Zoning Map Ordinance No. Z-10-81

Bill No. Z-81-02-46  
Zoning Map Ordinance No. Z-11-81

Bill No. Z-81-02-47  
Zoning Map Ordinance No. Z-12-81

General Ordinance

Bill No. G-81-01-23  
General Ordinance No. G-05-81

Please send us 16 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,  
*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne

Encl; 1

LEGAL NOTICE

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-02-09 -- Zoning Map Ordinance No. Z-10-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. L-6

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-81-02-46 -- Zoning Map Ordinance No. Z-11-81, being AN ORDINANCE to amend Zoning Ordinance No. Z-33-80 to correct a scrivener's error amending the City of Fort Wayne Zoning Map No. S-10

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-81-02-47 -- Zoning Map Ordinance No. Z-12-81, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-34

Notice is hereby given that on the 14th day of April, 1981, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-81-01-23 -- General Ordinance No. G-05-81, being AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of Wildwood Avenue

I, Charles W. Westerman, Clerk of the City of Fort Wayne<sup>11</sup>, Indiana do hereby certify that Bill No. Z-81-02-09 -- Zoning Map Ordinance No. Z-10-81; Bill No. Z-81-02-46 -- Zoning Map Ordinance No. Z-11-81; Bill No. Z-81-02-47 -- Zoning Map Ordinance No. Z-12-81; and Bill No. G-81-01-23 -- General Ordinance No. G-05-81, said ordinances were signed and approved by the Mayor on the 20th day of April, 1981, and now remains on file and on record in my office.

Copies of Bill No. Z-81-02-09 -- Zoning Map Ordinance No. Z-10-81; Bill No. Z-81-02-46 -- Zoning Map Ordinance No. Z-11-81; Bill No. Z-81-02-47 -- Zoning Map Ordinance No. Z-12-81; and Bill No. G-81-01-23 -- General Ordinance No. G-05-81, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Copies of Bill No. Z-81-02-09 -- Zoning Map Ordinance No. Z-10-81; Bill No. Z-81-02-46 -- Zoning Map Ordinance No. Z-11-81; Bill No. Z-81-02-47 -- Zoning Map Ordinance No. Z-12-81; and Bill No. G-81-01-23 -- General Ordinance No. G-05-81, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

*Charles W. Westerman*

Charles W. Westerman  
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on April 27, 1981.

*Charles W. Westerman*

Charles W. Westerman  
City Clerk



**FORT WAYNE COMMON COUNCIL**  
(Governmental Unit)

**Allen** County, Ind.

To: **JOURNAL-GAZETTE** Dt.

**FORT WAYNE, INDIANA**

### PUBLISHER'S CLAIM

#### LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	<u>  </u>
Body	number of lines	<u>106</u>
Tail	number of lines	<u>2</u>
Total number of lines in notice		<u>108</u>

#### COMPUTATION OF CHARGES

<b>106</b>	lines, <b>1</b>	columns wide equals <b>106</b>	equivalent lines at <b>.276</b>	<b>\$ 29.26</b>
cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

**TOTAL AMOUNT OF CLAIM**

**\$ 36.26**

#### DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type.....	<b>6</b> point
Number of insertions .....	Size of quad upon which type is cast.....	<b>6</b>

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arnold DeWald*

May 4, 1981

Title..... CLERK

Form 904

#### PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN COUNTY SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... **ARVILLA DEWALD**..... who, being duly sworn, says that she is..... **CLERK**..... of the

**JOURNAL-GAZETTE**

**DAILY**

newspaper of general circulation printed and published

in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... **two lines**....., the dates of publication being as follows: **4/27 - 5/4/81**

Subscribed and sworn to before me this

day of **4th** May 19

*Arnold DeWald*

My commission expires

**November 29, 1981**

Notary Public



**Fort Wayne Common Council**

(Governmental Unit)

**Allen**

County, Ind

To ..... **NEWS-SENTINEL** ..... Dr.**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM**

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines \_\_\_\_\_

Head	number of lines	_____
Body	number of lines	<b>104</b>
Tail	number of lines	<b>2</b>
Total number of lines in notice		<b>106</b>

## COMPUTATION OF CHARGES

<b>106</b>	..... lines, <b>1</b> .....	columns wide equals <b>106</b>	..... equivalent lines at <b>.276</b>	<b>\$ 29.26</b>
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cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) \_\_\_\_\_

Charge for extra proofs of publication (50 cents for each proof in excess of two) **7.00**

**TOTAL AMOUNT OF CLAIM. \$ 36.26**

## DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type ..... <b>6</b> point
Number of insertions <b>2</b> .....	Size of quad upon which type is cast <b>6</b> .....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*D. Rose*Date **May 4**, 19 **81**Title ..... **CLERK**

RE Form 903  
published in the city of **FORT WAYNE, INDIANA**  
in the English language in the state of **Indiana**  
which was duly published in said paper for **two times**, the dates of publication being as follows:

Subscribed and sworn to before me this **4th** day of **May**, 19**81**

My commission expires

*D. Rose*  
*John M. Perkins*  
Notary Public

